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60137-162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Katsamberis
Serial No.: 09/747,250
Filed: December 21, 2000
Group Art Unit: 1775
Examiner: Piziali, Andrew T.
Title: COATED ARTICLE WITH POLYMERIC BASECOAT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

Subsequent to the filing of the Appeal Brief on January 19, 2004, Appellant hereby submits its brief. No additional fees are due. If any additional fees are due, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, P.C. for any additional fees or credit the account for any overpayment. The Examiner's Answer raises three arguments which require some brief response.

ARGUMENTS RELATING TO CLAIMS 8, 22-24, 26-28, 30-32 AND 34

First, on page 10, the Examiner argues that Simmons is analogous art and reasonably pertinent to the particular problem which Applicant is concerned.

Answer:

Claims 8, 22-24, 26-28, 30-32 and 34 are not obvious. Simmons and Welty are not analogous art and are not reasonably pertinent to the particular problem which Applicant is concerned. Simmons is not in Welty or Appellant's field. The decorative coating of Welty provides abrasion protection, corrosion protection, and chemical resistance. Appellant's invention is directed toward a coated article having a decorative and protective coating. Simmons discloses an ultraviolet reflective photo catalytic dielectric combiner that oxidizes bacteria and contaminants to provide a

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self-cleaning, self-sanitizing, and self-deodorizing surface. Ultraviolet light initiates a photocatalytic reaction at a titanium dioxide surface to provide a surface that kills bacteria and contaminants. These fields are very different from each other.

Additionally, Simmons is not reasonably pertinent to Appellant's particular problem. Simmons is not within the field of decorative and protective coatings, which is the subject to which Appellant's invention is directed. A protective and decorative coating provides a desired appearance and also helps to provide corrosion and abrasion resistance. A self-sanitizing surface is used to kill bacteria and contaminants. Simmons relates to a self-cleaning surface and does not logically commend itself to the attention of an inventor seeking to solve problems present in decorating and protective coatings that prevent abrasion. Simmons is not reasonably pertinent to Appellant's particular problem.

Additionally, Simmons does not teach replacing a nickel layer with a polymer layer as suggested by the Examiner. Simmons teaches that a copper layer can be replaced with a polymer layer (column 6, lines 39 to 44). Simmons additionally teaches that a nickel layer can be added to the copper layer. The polymer layer replaces a copper layer or a combined copper layer and nickel layer (column 6, lines 39-45). The nickel layer is a second step in the plating process (column 6, lines 40-41). That is, the polymer layer of Simmons does not replace a nickel layer, but rather replaces a copper layer or a copper layer combined with an additional nickel layer. Therefore, the combination of the references does not teach, suggest or disclose the claimed invention because none of the references discloses replacing a nickel layer with a polymer layer. Welty and Simmons do not teach, suggest or disclose the claimed invention.

ARGUMENTS RELATING TO CLAIM 25

Claim 25 is not obvious. Dewey is not in Welty or Appellant's field and is not reasonably pertinent to the particular problem that Appellant has solved. Dewey teaches an epoxy urethane material, but focuses on the chemistry and the method of making the epoxy urethane. Nothing in Dewey suggests using epoxy urethane as a decorative or protective coating, and there is no suggestion or motivation to use epoxy urethane in the combination of Welty and Simmons. The

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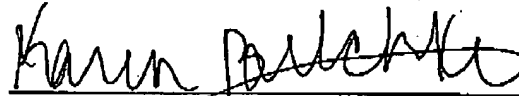
combination of Welty, Simmons and Dewey does not disclose or suggest claim 25, and Appellant respectfully requests that the rejection be withdrawn.

ARGUMENTS RELATING TO CLAIMS 28 AND 29

Claims 28 and 29 are not obvious. The Meckel reference is not in Welty or Appellant's field and is not reasonably pertinent to the particular problem that Appellant has solved. Meckel is directed to a coating for a golf club. Welty and Appellant's field concern faucets and door knobs. These are different fields, and a golf club does not logically comments itself to the attention of an inventor seeking to solve problems in door knobs or faucets. There is no motivation to combine Meckel with Welty or Simmons. Claims 28 and 29 are not obvious, and Appellant respectfully requests that the rejection be withdrawn.

Respectfully Submitted,

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Dated: May 16, 2005

CERTIFICATE OF FACSIMILE

I hereby certify that this reply brief is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306 on May 16, 2005.


Amy Spaulding